

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 TAMARAH R. SEIELSTAD,
12 Plaintiff,

No. CV 09-1797 MMC

No. CV 10-2060 MMC

13 v.

14 AEGIS SENIOR COMMUNITIES, LLC,
15 Defendant.

**ORDER DIRECTING PLAINTIFFS TO
FILE SUPPLEMENT TO MOTION FOR
FINAL APPROVAL OR,
ALTERNATIVELY, TO RENOTICE
HEARING ON MOTION FOR FINAL
APPROVAL**

17 KENNYON MORRIS and KAREN JIRON,

18 Plaintiffs,

19 v.

20 AEGIS SENIOR COMMUNITIES, LLC,
21 Defendant.

/

23 Before the Court is plaintiffs' "Motion for Final Approval of Class- and Collective-
24 Action Settlement," filed September 16, 2011. Having reviewed the motion, the Court notes
25 there is no indication in the record as to whether defendant has complied with the notice
26 requirements set forth in 28 U.S.C. § 1715(b).

27 Pursuant to 28 U.S.C. § 1715, "[n]ot later than 10 days after a proposed settlement
28 of a class action is filed in court, each defendant that is participating in the proposed

1 settlement shall serve upon the appropriate State official of each State in which a class
2 member resides and the appropriate Federal official" the complaint, the proposed
3 settlement, and other specified documents. See 28 U.S.C. § 1715(b). "An order giving
4 final approval of a proposed settlement may not be issued earlier than 90 days after the
5 later of the dates on which the appropriate Federal official and the appropriate State official
6 are served with the notice required under subsection (b)." 28 U.S.C. § 1715(d).

7 Accordingly, plaintiffs are hereby DIRECTED to supplement the motion for final
8 approval by filing, no later than noon, September 28, 2011, a declaration or other evidence
9 sufficient to demonstrate defendant has provided the notice required by § 1715(b).
10 Alternatively, if the requisite notice has not been provided, plaintiff is hereby DIRECTED to
11 renotice the motion for final approval for a date no less than 90 days after the date on
12 which the requisite notice will be given.¹ (See Order Preliminarily Approving Class and
13 Collection Action Settlement, filed April 15, 2011, ¶ 15 (providing Court may "continue the
14 Fairness Hearing without further notice to the Class").)

15 **IT IS SO ORDERED.**

16
17 Dated: September 21, 2011
18


MAXINE M. CHESNEY
United States District Judge

27
28

¹In the event plaintiffs renotice the motion for final approval, plaintiffs are directed to
renote the motion for an award of attorney's fees for the same date.